

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff, 12 Civ. 6421 (KMK)**

**v.**

**EDWARD BRONSON, E-LIONHEART  
ASSOCIATES, LLC, d/b/a FAIRHILLS CAPITAL**

**Defendants**

**and**

**FAIRHILLS CAPITAL, INC.**

**Relief Defendant.**

**GARNISHEE'S ANSWER**

Having been served with a Writ of Garnishment, Garnishee hereby files this Answer.

This Answer is being prepared by:

Name: *Mark E. Pena*

Title: *President*

Address: *4230 So. MacDill Ave Suite I Tampa FL 33611*

Phone Number: *813-251-1289*

*Lpena001@tampabay.fl.com*

DESCRIPTION OF GARNISHEE

Garnishee files this Answer as: (check those that apply)

☐ An Individual

☐ In my personal capacity.

☐ Doing business as,

Name of d/b/a:

Address:

Phone Number:

☐ A Partnership; and Garnishee is:

☐ A general partner

☐ A limited partner

Name of Partnership:

Address:

Phone Number:

☒ A Corporation

Name of Corporation:

Law Office of Mark E. Penn P.A.

Address:

4230 So. MacDill Ave Suite I Tampa FL 33611

Phone Number:

813-251-1289

State of Incorporation:

Florida

Principal Place of Business:

Tampa Florida

**PRIOR GARNISHMENTS**

For each previous garnishment involving Defendant which is still in effect, please provide the following information:

Date of Garnishment:

Property Subject to the Previous Garnishment:

**DESCRIPTION OF PROPERTY IN WHICH DEFENDANT HAS AN INTEREST**

Garnishee states as follows: (check those that apply)

☒ From the date the Writ of Garnishment was served to the date this Answer is being prepared, Garnishee has not had possession, custody or control of any property in which Defendant has an interest.

☐ Garnishee has possession, custody or control of the following non-earnings property in which Defendant has an interest:

Description of Property:

Approximate Value of Property:

Defendant's Interest in the Property:

☐ Garnishee anticipates having future possession, custody or control of the following non-earnings property in which Defendant will have an interest:

Description of Property:

Approximate Value of Property:

Defendant's Interest in the Property:

When Defendant Will Acquire An Interest in the Property:

- ☐ As Defendant's employer, Garnishee has possession, custody or control of earnings in which Defendant has an interest:

Defendant is paid: ☐ weekly, ☐ bi-weekly, ☐ semi-monthly, ☐ monthly

Date Previous Pay Period Ended:

Date Current Pay Period Ends:

- a. Defendant's Gross Pay:
- b. Federal Income Tax Withheld:
- c. F.I.C.A. Withheld:
- d. State Income Tax Withheld:
- e. Total Withholdings (b + c + d):
- f. Net Earnings (a - e):

#### GARNISHEE'S CLAIMS

Garnishee makes the following claims: (check those that apply)

- ☐ Garnishee makes the following claim of exemption on behalf of Defendant:

Amount of Exemption:

Nature of Exemption:

- ☐ Garnishee has the following objections, defenses, or set-offs against the United States' right to seek garnishment of Defendant's non-exempt property in Garnishee's possession, custody or control (describe nature of objection, defense, or set-off):

CERTIFICATE OF SERVICE

Garnishee certifies that it has served a copy of this Answer on both the:

☒ Defendant Edward Bronson only

Date of Service: 11/7/2022

Method of Service: (include address if service was by mail)

c/o Attorney Paul Rachmuth @ paul@paresq.com

OATH  
Plaintiff at: Maureen P. King / KINGMP@SEC.SOV

Garnishee declares under penalty of perjury that the foregoing is true and correct.

Date: 10/27/2022

Signature: [Signature]

Subscribed and sworn before me this 27<sup>th</sup> day of October 2022.

[Signature]  
Notary Public


Commission Expires: 8/13/26

produced FLDC for Identification



MICHAEL J. SNIVELY  
Commission # HH 254231  
Expires August 13, 2026

*personally*

Date: 10-13-2022  
Time: 9:55 AM  
Served By: CPS/3521/96 

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**POST-JUDGMENT WRIT OF GARNISHMENT**

**TO:** Garnishee, The Law Office of Mark E. Pena, P.A.  
4230 So. MacDill Ave. Suite I  
Tampa, FL 33611

**REQUESTED BY:** Securities and Exchange Commission  
Maureen Peyton King  
Securities and Exchange Commission  
New York Regional Office  
100 Pearl Street, Suite 20-100  
New York, New York 10004

**ISSUED PURSUANT TO:** Rule 69 of the Federal Rules of Civil Procedure and applicable  
state law, NY CPLR 5201, et seq.

The Court having reviewed the Plaintiff's Application for Post-Judgment Writ of  
Garnishment, hereby issues this Post-Judgment Writ of Garnishment. The Securities and  
Exchange Commission ("SEC") has information indicating that Garnishee may have possession,  
custody or control of property in which Defendant has a nonexempt interest.

*9226 994698*

**NOTICE AND INSTRUCTIONS TO DEFENDANT**

A judgment was rendered against you in *SEC v. Bronson, et al.* (Case No. 12-cv-6421-KMK) in the United States District Court for the Southern District of New York. The SEC is seeking to collect the ordered disgorgement and prejudgment interest and post-judgment interest thereon through this Writ of Garnishment to The Law Office of Mark E. Pena, P.A., the Garnishee, by attempting to take your property, which may include a portion of your earnings, from the Garnishee.

**DEFENDANT'S RIGHT TO OBJECT TO THE GARNISHEE'S ANSWER  
AND REQUEST A HEARING**

You may notify the Clerk of the Court and the SEC, whose address appears above, in writing, within ten days after service of this notice upon you, why a wage garnishment Order should not be issued, and thereafter the application for the Order will be set down for a hearing of which you will receive notice of the date, time and place.

If you do not notify the Clerk of the Court and the SEC in writing of your objection, you will receive no further notice and the Order will be signed by the Judge as a matter of course. To object or apply for a reduction, file a written statement of your objection or reasons for a reduction with the Clerk of the Court and send a copy to the creditor's attorney or directly to the creditor if there is no attorney.

**EXEMPTIONS**

Personal property exempt from garnishment in New York may be found at NY CPLR § 5205.

Date: this 22 day of September, 2022.

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SOUTHERN DISTRICT OF NEW YORK

  
UNITED STATES DISTRICT COURT